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Super 8 Worldwide, Inc.

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

SUPER 8 WORLDWIDE, INC., formerly
known as SUPER 8 MOTELS, INC., a South
Dakota Corporation,

Plaintiff,

v.

DAHI, INC., a Missouri Corporation;
NAVNITTAL C. PATEL, an individual a/k/a
Navnit C. Patel; and KIRTI N. PATEL, an
individual,

Defendants.

HON. DENNIS M. CAVANAUGH
Civil Action No. 10-6149 (DMC) (JAD)

**FINAL JUDGMENT AGAINST
DEFENDANTS DAHI, INC.,
NAVNITTAL C. PATEL, AND
KIRTI N. PATEL**

This matter having been opened to the Court by way of motion of plaintiff Super 8 Worldwide, Inc. ("SWI"), formerly known as Super 8 Motels, Inc., by its attorneys, Day Pitney LLP, seeking the entry of final judgment by default against defendants DAHI, Inc. ("DAHI"), Navnittal C. Patel, and Kirti N. Patel (collectively, the "Defendants") pursuant to Fed. R. Civ. P. 55(b)(2); and it appearing that the Complaint in this matter was filed on November 24, 2010, seeking damages as

a result of a breach and premature termination of a Franchise Agreement between SWI and DAHI and as a result of a breach of a personal guaranty executed by Navnittal C. Patel and Kirti N. Patel; and service of a copy of the Summons and Complaint having been effectuated with respect to DAHI by personally serving CMPS Agent Services, Inc., the registered agent of the company, at 4550 Belleview Avenue, Kansas City, Missouri 68111 on December 10, 2010; and service of a copy of the Summons and Complaint having been effectuated with respect to Navnittal C. Patel by personally serving him at 4981 Briarcliff Drive, Sugar Hill, Georgia 30518 on February 2, 2011; and service of a copy of the Summons and Complaint having been effectuated with respect to Kirti N. Patel by personally serving her at 4981 Briarcliff Drive, Sugar Hill, Georgia 30518 on February 2, 2011; and the time for Defendants to answer or otherwise respond to the Complaint having expired; and Defendants having failed to interpose an Answer to the Complaint; and it appearing that default was duly noted by the Clerk of the Court against Defendants on May 6, 2011 for Defendants' failure to plead or otherwise defend in this action; and SWI having provided Defendants with notice of the within motion for default judgment and all supporting documentation; and the Court having reviewed the papers, and good cause having been shown:

IT IS on this 30th day of AUGUST, 2011,

ORDERED, ADJUDGED AND DECREED that final judgment is entered in favor of SWI and against defendants DAHI, Inc., Navnittal C. Patel, and Kirti N. Patel, jointly and severally, in the total amount of

\$ 761,251.62, comprised of the following:

(a) \$550,768.00 for liquidated damages (principal plus prejudgment interest calculated through August 1, 2011);

(b) \$196,408.29 for Recurring Fees (principal plus prejudgment interest calculated through August 1, 2011);

(c) \$ 5,435.55 for additional prejudgment interest on the liquidated damages and Recurring Fees for the period between August 1, 2011 and the date of this Final Judgment (calculated at the per diem rate of \$194.95); and

(d) \$8,439.78 for attorneys' fees and costs (through May 31, 2011); and it is further

ORDERED, ADJUDGED AND DECREED that beyond the date of this Final Judgment, post-judgment interest with respect to the total amount of this Final Judgment will continue to accrue at the rate allowed by law until the Judgment is paid in full; and it is further

ORDERED, ADJUDGED AND DECREED that upon entry of this Final Judgment, Counts One (accounting), Three (actual damages) and Five (unjust enrichment) of the Complaint against defendants DAHI, Inc., Navnittal C. Patel, and Kirti N. Patel are dismissed.


DENNIS M. CAVANAUGH, U.S.D.J.